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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/778,005

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Phillip C. Salisbury

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27073 7590 03/06/2007
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EXAMINER

SHAH, MANISH S

ART UNIT

PAPER NUMBER

2853

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
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3 MONTHS

03/06/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary	Application No. 10/778,005	Applicant(s) SALISBURY ET AL.	
	Examiner Manish S. Shah	Art Unit 2853	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 18 January 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-30 is/are pending in the application.
- 4a) Of the above claim(s) 7-30 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-6 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>9/05/06</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

1. Claims 1-6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yanagi et al. (# US 2004/0061757 A1) in view of Drynkin et al. (# US 6709175).

Yanagi et al. discloses a compact disc inkjet printer comprising (figure: 1-3, 38): a movable tray to hold a compact disc for printing upon by printer (element: 106, figure: 38); a pair of studs (engaging claws) protruding a surface of the tray for engaging a periphery of a hole passing through a center of the compact disc (element: 106f1, 106f2, figure: 38-39). They also disclose that the ink jet printer comprises sensor disposed on the carriage of the printer (element: 59, figure: 4; [0150]), the carriage adapted to move an inkjet cartridge attached thereto across the compact disc to deposit an image on the compact disc (figure: 1-4).

Mochizuki et al. differs from the claim of the present invention is that (1) at least one clamping finger movably attached to the tray and adapted to selectively engage an outer periphery of the compact disc, wherein clamping finger having an extension for indicating when the compact disc is clamped between the at least one clamping finger and pair studs. (2) The spring connected between one clamping finger and the tray. (3)

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The clamping finger is positioned to push the compact disc toward the pair of studs, and clamping finger adapted to selectively engage the adaptor to force the adaptor against the outer periphery of the compact disc so as to force the periphery of the hole passing through a center of the compact disc against the studs.

Drynkin et al. teaches that to hold the compact disc properly, printer having at least one clamping finger movably attached to the tray (element: 276, 196; figure: 6, 7) and adapted to selectively engage an outer periphery of the compact disc, wherein clamping finger having an extension for indicating when the compact disc is clamped between the at least one clamping finger and pair studs. They also teaches that the spring connected between one clamping finger and the tray (column: 9, line: 25-45). They also teach that the clamping finger is positioned to push the compact disc toward the pair of studs, and clamping finger adapted to selectively engage the adaptor to force the adaptor against the outer periphery of the compact disc so as to force the periphery of the hole passing through a center of the compact disc against the studs (figure: 6-7).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the printer of Yanagi et al. by the aforementioned teaching of Drynkin et al. in order to hold the compact disc properly, and because of that it gives high quality printed image.

2. Claims 1-6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mochizuki et al. (# WO 03/091035 A1) in view of Drynkin et al. (# US 6709175).

Mochizuki et al. discloses a compact disc printer comprising (element: 1010, figure: 18): a movable tray to hold a compact disc for printing upon by printer (element: 121, figure: 18); a pair of studs (engaging claws) protruding a surface of the tray for engaging a periphery of a hole passing through a center of the compact disc (element: 127a, figure: 18). They also disclose that the printer comprises sensor disposed on the carriage of the printer (figure: 18, 19).

Mochizuki et al. differs from the claim of the present invention is that (1) at least one clamping finger movably attached to the tray and adapted to selectively engage an outer periphery of the compact disc, wherein clamping finger having an extension for indicating when the compact disc is clamped between the at least one clamping finger and pair studs. (2) The spring connected between one clamping finger and the tray. (3) The clamping finger is positioned to push the compact disc toward the pair of studs, and clamping finger adapted to selectively engage the adaptor to force the adaptor against the outer periphery of the compact disc so as to force the periphery of the hole passing through a center of the compact disc against the studs.

Drynkin et al. teaches that to hold the compact disc properly, printer having at least one clamping finger movably attached to the tray (element: 276, 196; figure: 6, 7) and adapted to selectively engage an outer periphery of the compact disc, wherein clamping finger having an extension for indicating when the compact disc is clamped between the at least one clamping finger and pair studs. They also teach that the spring connected between one clamping finger and the tray (column: 9, line: 25-45). They also teach that the clamping finger is positioned to push the compact disc toward

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the pair of studs, and clamping finger adapted to selectively engage the adaptor to force the adaptor against the outer periphery of the compact disc so as to force the periphery of the hole passing through a center of the compact disc against the studs (figure: 6-7).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the printer of Mochizuki et al. by the aforementioned teaching of Drynkin et al. in order to hold the compact disc properly, and because of that it gives high quality printed image.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Manish S. Shah whose telephone number is (571) 272-2152. The examiner can normally be reached on 8:00am-4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Stephen D. Meier can be reached on (571) 272-2149. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Manish S. Shah
Primary Examiner
Art Unit 2853

MSS

3/5/07